Garland, TX

June 4, 2009

The Housing Standards Board of the City of Garland, Texas convened in Pre-Meeting session at 6:00 P.M. on Thursday, June 4, 2009, in the Work Session Room at City Hall with the following members present.

PRESENT:

Chairman: David Perry

Vice Chair: John Losher

At Large: Wayne Wilmany

Board Member: Anita Goebel

Board Member: Debbie Starling

Board Member: Nick Oliver

Board Member: John Ball

STAFF PRESENT: Director of Code Compliance: Steve Killen

Neighborhood Stds Mgr.: Rick Barker

Recording Secretary: Rosie Hernandez

Assistant Secretary: Dee Young

Deputy City Attorney: Mike Betz

Asst. City Attorney: Brian England

ABSENT Board Member: Richard McGough

Board Member: Melissa Wright-Gonitzke

CALL TO ORDER: The pre-meeting was called to order by Chairman David Perry

at 6:00 P.M.

CEREMONIALS: Board discussed pre-meeting agenda items as follows:

1. Chairman Announcements

- 2. Discussion /Questions related to training and the Housing Standards Board DVD
- 3. Definition of Proper Notice of Owners
- 4. Hearing Procedures
- 5. Future Agenda Items

Mr. Perry adjourned the pre-meeting at 6:53 P.M.

The Housing Standards Board of the City of Garland, Texas convened in regular session at 7:00 P.M. on June 4, 2009, in the Work Session Room at City Hall with the below listed members present.

PRESENT:

	Chairman:	David Perry						
	Vice Chair:	John Losher						
	At Large:	Wayne Wilmany						
	Board Member:	Anita Goebel						
	Board Member:	Debbie Starling						
	Board Member:	Nick Oliver						
	Board Member:	John Ball						
STAFF PRESENT:	Director of Code Compliance:	Steve Killen						
	Neighborhood Stds Mgr.:	Rick Barker						
	Recording Secretary:	Rosie Hernandez						
	Assistant Secretary:	Dee Young						
	Deputy City Attorney:	Mike Betz						
	Asst. City Attorney:	Brian England						
Absent	Board Member:	Melissa Wright-Gonitzke						
	Board Member:	Richard McGough						
CALL MEETING TO ORDER:	The meeting was called to order be invocation. Wayne Wilmany led	by David Perry. David Perry gave the the pledge to the flag.						
1. MINUTES:	Approval of minutes of the April 2, 2009, motion made by John Ball to postpone approval of April 2, 2009, minutes until modifications have been made. Second by Nick Oliver. 7 Ayes, 0 Nays, 0 Abstentions.							
OATH:	Chairman David Perry administered the Oath to those who were to present testimony at this meeting.							
2. NEW BUSINESS:								
	Sub-Standard Structures							
	Steve Killen requested to the Board that order of cases # 1 Doc# 09-11 and case # 2 Doc# 09-12 be switched due to speaker cards being present for case # 2 only. Agreed.							

Steve Killen presented the case to the Board stating the ownership of the property, the condition of the property, the procedures taken to notify the owner(s) in accordance with law, and staffs recommendation "That the building be repaired, as noted on the May 14, 2009, inspection report, by July 4, 2009. If the building is not repaired, as noted on the May 14, 2009, inspection report by July 4, 2009, civil penalties in the amount of \$1000.00 per day be assessed against the property beginning July 5, 2009, and continue until all repairs have been made and a final inspection conducted. If the building is not repaired by July 4, 2009, the City of Garland shall be authorized to proceed with demolition."

Rick Barker presented testimony to the Board regarding the condition of the property and answered questions from the Board.

The Board viewed true and accurate video of the condition of the property that was entered as Exhibit "A".

Speakers: John Pitts

John Losher made a motion to accept staffs recommendation as presented. Second by Wayne Wilmany. Discussion. 7 Ayes, 0 Nays, and 0 Abstentions. Motion Carried.

226 N. 12th St. Doc# 09-10

Steve Killen presented the case to the Board stating the ownership of the property, the condition of the property, the procedures taken to notify the owner(s) in accordance with law, and staffs recommendation "That the building be repaired, as noted on the January 8, 2009, inspection report, by August 4, 2009. If the building is not repaired, as noted on the January 8, 2009, inspection report by August 4, 2009, civil penalties in the amount of \$100.00 per day be assessed against the property beginning August 5, 2009, and continue until all repairs are made and a final inspection conducted. If the repairs are not made by August 4, 2009, and a final inspection conducted, the city shall be authorized to proceed with demolition".

Rick Barker presented testimony to the Board regarding the condition of the property and answered questions from the Board.

The Board viewed true and accurate video of the condition of the property that was entered as Exhibit "A".

Speakers: Zarael Castillo

Break from 8:25 to 8:30

The Board viewed true and accurate flash drive with pictures of the condition of the property that was entered as Exhibit "B".

Staff made an amended recommendation "That the building be repaired, as noted on the January 8, 2009, inspection report, by October 4, 2009. If the building is not repaired, as noted on the January 8, 2009, inspection report by October 4, 2009, civil penalties in the amount of \$100.00 per day be assessed against the property beginning December 4, 2009, and continue until all repairs are made and a final inspection conducted." Debbie Starling made a motion to accept staffs amended motion. Second by Wayne Wilmany. Discussion, John Ball made a motion to amend motion as follows "That the building be repaired, as noted on the January 8, 2009, inspection report, by December 30, 2009. If the building is not repaired, as noted on the January 8, 2009, inspection report by December 30, 2009, civil penalties in the amount of \$100.00 per day be assessed against the property beginning December 31, 2009, and continue until all repairs are made and a final inspection conducted." Second by Anita Gobel. Board voted to accept amended motion. 5 Ayes, 2 Nays, 0 Abstentions. Amendment Carried. Board voted on John Balls amended motion. 7 Ayes, 0 Nays, 0 Abstentions. Motion Carried.

Steve Killen presented the case to the Board stating the ownership of the property, the condition of the property, the procedures taken to notify the owner(s) in accordance with law, and staffs revised recommendation "That the building be repaired, as noted on the January 13, 2009, inspection report, by August 4, 2009. If the building is not repaired, as noted on the January 13, 2009, inspection report, by August 4, 2009, civil penalties in the amount of \$100.00 per day be assessed against the property beginning August 5, 2009, and continue until all repairs have been made and a final inspection conducted. If the building is not repaired by August 5, 2009, the City of Garland shall be authorized to proceed with demolition including the detached accessory building."

Rick Barker presented testimony to the Board regarding the condition of the property and answered questions from the Board.

The Board viewed true and accurate video of the condition of the property that was entered as Exhibit "A".

Speaker: Gary Lacey

John Ball made a motion to accept staff's recommendation as written. Second by Nicholas Oliver. No discussion. 7 Ayes, 0 Nays, and 0 Abstentions. Motion Carried.

2016 Tennyson Doc# 09-11

Steve Killen presented the case to the Board stating the ownership of the property, the condition of the property, the procedures taken to notify the owner(s) in accordance with law, and staffs recommendation "That the building be repaired, as noted on the June 6, 2008 and June 3, 2009, inspection report, by August 4, 2009. If the building is not repaired, as noted on the June 6, 2008 and June 3, 2009, inspection report, by August 4, 2009, civil penalties in the amount of \$100.00 per day be assessed against the property beginning August 5, 2009, and continue until repairs have been made and a final inspection conducted. If the property is not repaired by August 4, 2009, the City of Garland shall be authorized to proceed with demolition including all accessory buildings."

Rick Barker presented testimony to the Board regarding the condition of the property and answered questions from the Board.

The Board viewed true and accurate video of the condition of the property that was entered as Exhibit "A".

Speakers: No Speakers

Steve Killen announced to strike the June 3rd, 2009, dates from staff recommendation in two locations.

Nicholas Oliver made a motion to accept staffs recommendation as presented. Second by Debbie Starling, Discussion. 7 Ayes, 0 Nays, and 0 Abstentions. Motion Carried.

Final Order of the Board:

"That the building be repaired, as noted on the June 6, 2008, inspection report, by August 4, 2009. If the building is not repaired, as noted on the June 6, 2008, inspection report, by August 4, 2009, civil penalties in the amount of \$100.00 per day be assessed against the property beginning August 5, 2009, and continue until repairs have been made and a final inspection conducted. If the property is not repaired by August 4, 2009, the City of Garland shall be authorized to proceed with demolition including all accessory buildings."

ADJOURNMENT:	Discussion. Nex	Discussion. Next pre-meeting items, 1. Announcements – Chairman 2. Update on legislation that affects HSB orders and liens 3. Future Agenda Items								
	2. Update on leg									
With no further business of Wilmany. Meeting adjourn	or discussion to come befo	ore the Bo		n Ball made	a m	otion	to adjourn	. Second by	Wayne	
City of Garland Signed:										
David Perry, Chairman		Steve	Killen,	Secretary	to	the	Housing	Standards	Board	